

REMARKS

Claims 1-11 and 13-35 are pending in this application. By this Amendment, claims 1, 6, 13, 18, 20, 31 are amended, and new claims 33-35 are added. Reconsideration and withdrawal of the rejections are respectfully requested in view of the foregoing amendment and following remarks.

In a Request for Approval of Drawing Amendment filed herewith, Applicants propose to add a descriptive legend to Figure 1. It is respectfully submitted that no new matter is added by this drawing amendment.

Claims 1-3 and 20 stand rejected under 35 U.S.C. §103(a) over Hassler et al. (U.S. Patent No. 5,751,795) (hereinafter Hassler). This rejection is respectfully traversed.

Hassler fails to establish a prima facie case of obviousness, as required by Section 103. For example, Hassler fails to teach or suggest an apparatus for transmitting and receiving a message using a caller ID, including a first communications device having an embedded circuit to receive, modulate, and transmit information, a cable/mobile communication company switching device configured to receive the information from the first communications device and provide access to a communication network for the first communications device, the cable/mobile communication company switching device having an embedded circuit for demodulating the information and transmitting the information and identification information of the first communications device as caller ID data, and a subscriber device configured to receive the information from the first communications device through the cable/mobile

communication company switching device and the communication network as caller ID data when a ring signal is generated by the cable/mobile communication company switching device to the subscriber device, the subscriber device having an embedded circuit to demodulate and identify a sender of the information and a display unit to display the information.

Additionally, Hassler fails to teach or suggest an apparatus for transmitting and receiving a message using caller ID, including an input circuit, to receive and modulate message data, a communications circuit, coupled to receive and demodulate the modulated message data and receive an identification signal from the input circuit and generate a caller ID message including the message data and the identification signal, and a receiving terminal, coupled to the communications circuit to receive the caller ID message including the demodulated message data and the identification signal when a ring signal is received from the communications circuit.

Hassler relates to a telephone switching system used to broadcast information to users by means of non-call-associated display messages that are transmitted over telephone lines. See column 4, lines 60-63. Hassler further teaches that the non-call-associated message is "not part of the set-up of a call or part of an ongoing call that involves the receiving display telephone." See column 5, lines 7-10. The message is thus independent of any call that involves the receiving display telephone. Additionally, the message is independent of whether or not there is a call being initiated or in existence that involves the receiving display telephone. See column 5, lines 10-14. Consequently, Hassler fails to teach or suggest a cable/mobile communication company switching device having an embedded circuit for demodulating information and transmitting the

information and identification information of the first communication device as caller ID data, and further fails to teach or suggest a subscriber device configure to receive the information and identification information from the first communications device as caller ID data when a ring signal is generated. Consequently, a prima facie case of obviousness cannot be made, and it is respectfully requested that this rejection be withdrawn.

Claims 4-11, 13-19, and 21-32 stand rejected under 35 U.S.C. §103(a) over Hassler in view of Stumm (U.S. Patent No. 5,768,528). This rejection is respectfully traversed.

The asserted combination of references fail to establish a prima facie case of obviousness, as required by Section 103. For example, the asserted combination of references fails to teach or suggest a method for transmitting and receiving a message using a caller ID, including, inter alia, transmitting a ring signal and the modulated information of the at least one message recipient, the message, and the message provider information, wherein the message and message provider information are transmitted as caller ID data, as recited in amended claim 6.

Additionally, the asserted combination of references fails to teach or suggest a method for transmitting and receiving a message using a caller ID, including, inter alia, transmitting a ring signal and a corresponding caller ID data, including an advertisement message and sender information to services subscribers associated with the advertisement service subscriber information, and receiving the ring signal and corresponding caller ID data containing the advertisement message and sender information, as recited in amended claim 18.

Additionally, the asserted combination of references fails to teach or suggest a method for transmitting and receiving a message using caller ID, including, inter alia, modulating a demodulated advertisement message and calling party information, and transmitting a ring signal in a corresponding caller ID data containing the modulated advertisement message and calling party information, and receiving the transmitted ring signal and corresponding caller ID data containing the advertisement message and calling party information, as recited in amended claim 31.

Hassler is described above. Stumm relates to a client-server system for delivery of online information. Stumm teaches a server system that is configured to provide information files to a plurality of subscribers over a network. Subscribers follow a predetermined download schedule to request information. Stumm, however, fails to teach or suggest any aspects of incorporating information into a caller ID data to be transmitted with a ring signal. Furthermore, the Patent Office does not rely on Stumm to teach or suggest such a feature. Consequently, the combination of Hassler and Stumm fails to teach or suggest all the claimed features, as required by Section 103. Accordingly, it is respectfully requested that this rejection be withdrawn.

New claims 33-35 have been added, and are believed to be in condition for allowance. Prompt examination and allowance is due course are earnestly solicited.

CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, **Anthony H. Nourse**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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